

**ATTENTION BOX AFTER FINAL
RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE REQUESTED**

means for determining a first of said at least one supercategory based on at least one term of said data query and said multiple categories of the at least one supercategory; and

means for displaying an advertisement associated with said first supercategory.

REMARKS

In the final Office Action of August 28, 2001, the Examiner maintained the previous rejection of claims 6-12, 15-21, 24, and 25 based on U.S. Patent No. 5,937,392 to Alberts ("Alberts"). More particularly, the Examiner contends that claims 6, 7, 9-12, 15, 16, 18-21, 24, and 25 are anticipated under 35 U.S.C. § 102(e) or, alternatively, obvious under 35 U.S.C. § 103(a) based on Alberts and that claims 8 and 17 are obvious under 35 U.S.C. § 103(a) based on Alberts. Additionally, in the final Office Action, the Examiner objected to claims 13, 14, 22, and 23 as dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

By this Amendment, Applicants propose amending claims 6, 15, and 24 to more clearly define the present invention. Support for these amendments can be found at, for example, pages 141-143 of the specification.

Claims 6-25 are presently pending before the Examiner.

In maintaining the previous rejections based on Alberts, the Examiner conceded that the feature recited in claim 6 of "associating at least one

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supercategory with multiple categories” is not disclosed by Alberts. (Office Action, page 2). The Examiner contends, however, that this feature is inherent in the disclosure of Alberts. Specifically, the Examiner contends that the word “association” should be given “the broadest reasonable interpretation” and therefore concludes that “association” can be interpreted to mean “to join together, including in intangible ways.” (Office Action, page 4, paragraph 15(A)). Based on this interpretation of “association,” the Examiner contends that Alberts disclosure of the two categories “skiing” and “photography” inherently discloses a supercategory because these two categories are “associated” in that, for example, “the mountains outside Salt Lake City suggest both activities.” (Office Action; page 3, lines 1-3; and page 4, paragraph 15(b)).

Applicants do not agree with the Examiner’s interpretation of the word “association” and the subsequent application of this interpretation to mean that “skiing” and “photography” are inherently associated with a supercategory. However, in order to expedite prosecution, Applicants propose amending the claims to clarify that associating a supercategory with multiple categories refers to more than merely an intangible or abstract potential relationship between two categories. Specifically, Applicants propose amending claim 6 to recite “associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory” (emphasis added). Applicants propose similar amendments to claims 15 and 24. As discussed in more detail below, Alberts completely fails to disclose or suggest any such explicit mapping of categories to supercategories.

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Alberts is directed to a banner advertising display system that includes ad frequency information that specifies how often each ad is to be displayed. Alberts additionally discloses that certain ads can be displayed in response to “trigger information” that indicates under what circumstances to select an ad. (Alberts, col. 3, lines 46-48). According to Alberts, information selected by a user can be used to “infer that the user has a particular interest, e.g., if a user searches a business directory for a business in a particular category, such as photography or skiing.” (Alberts, col. 7, lines 15-18). These inferences could be used to trigger certain ads, such as ads relating to skiing. (Alberts, col. 7, lines 18-27).

The present invention, as recited in proposed amended claim 6, for example, is directed to a method for targeting advertisements that includes, among other things, associating at least one category with documents that may be retrieved and associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory. In response to a data query, at least one supercategory is determined and an advertisement associated with the supercategory is displayed.

In contrast to the invention recited in claim 6, Alberts merely discloses displaying certain banner ads in response to information received from a user. As one example of this, Alberts’ states that if a user searches through a particular category of a business directory, then Alberts’ infers that the user may be interested in ads relating to that business category. (Alberts, col. 7, lines 14-17). Alberts, however, completely fails to disclose or suggest associating

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supercategories with multiple categories by mapping multiple categories to the supercategory. As the Examiner concedes, Alberts does not explicitly disclose associating supercategories with multiple categories, and accordingly, Alberts certainly does not disclose or suggest associating supercategories by mapping multiple categories to the supercategory. Because Alberts fails to disclose associating supercategories as recited in claim 6, Alberts necessarily does not disclose or suggest determining a supercategory based on at least one term of a data query and the categories of the supercategory, and displaying an advertisement associated with the supercategory.

Claim 6 additionally recites "determining a first of said at least one supercategory based on at least one term of said data query and said multiple categories of the at least one supercategory." This also results in significant benefits because, as stated in the specification, a problem associated with matching advertisements directly to categories is that additional information about a user's preferences may be available from the user query. However, a system that relies only on categories, such as that of Alberts, ignores any information from the user query that might permit further refinement of the advertisement selection. (Specification, page 146, line 19 to page 147, line 2).

For at least these reasons, Applicants submit that Alberts fails to disclose or suggest the present invention as recited in claim 6, and therefore, the rejection of this claim should be withdrawn. Independent claims 15 and 24 recite features similar to those recited in claim 6, and therefore, based on similar rationale, the rejection of these claims should also be withdrawn. The rejection of dependent

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claims 7-12, 16-21, and 25, at least by virtue of their dependency on one of independent claims 6, 15, and 24, should also be withdrawn.

In addition, the dependent claims include additional features not disclosed or suggested by Alberts. For example, claim 7 recites ranking more than one supercategory to determine a first supercategory. As discussed above, Alberts fails to disclose a supercategory as recited in the claim 6. Accordingly, Alberts cannot disclose or suggest ranking of a supercategory as recited in claim 7. For this reason, in addition to those given above, the rejection of claim 7 should be withdrawn. Dependent claim 16 recites features similar to claim 7, and is thus also not disclosed or suggested by Alberts.

Dependent claim 10 depends from claim 6 and additionally recites ranking documents in accordance with terms occurring in the data query and terms occurring in the multiple categories of the first supercategory. Alberts completely fails to disclose any such ranking of documents. For this reason, in addition to those given above, the rejection of claim 10 should be withdrawn. Dependent claim 19 recites features similar to claim 10, and is thus also not disclosed or suggested by Alberts.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 6-25 in condition for allowance. Applicants submit that the proposed amendments of claims 6, 15, and 24 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as

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examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' claims. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that the claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants, therefore, request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 07-2339 and please credit any excess fees to such deposit account.

Respectfully submitted,

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VERSION WITH MARKINGS OF CLAIMS
TO SHOW PROPOSED CHANGES

6. (Twice Amended) A method executed in a computer system for targeting advertisements comprising:

- associating at least one category with documents that may be retrieved, said category including at least one term;
- associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory;
- associating an advertisement with at least one of said supercategories;
- determining at least one term associated with a data query;
- determining a first of said at least one supercategory based on at least one term of said data query and said multiple categories of the at least one supercategory; and
- displaying an advertisement associated with said first supercategory.

15. (Twice Amended) A computer program product for displaying advertisements comprising:

- machine executable code for associating at least one category with documents that may be retrieved, said category including at least one term;
- machine executable code for associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory;

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machine executable code for associating an advertisement with at least one of said supercategories;

machine executable code for determining at least one term associated with a data query;

machine executable code for determining a first of said at least one supercategory based on at least one term of said data query and said multiple categories of the at least one supercategory; and

machine executable code for displaying an advertisement associated with said first supercategory.

24. (Twice Amended) An apparatus for displaying advertisements comprising:

means for associating at least one category with documents that may be retrieved, said category including at least one term;

means for associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory;

means for associating an advertisement with at least one of said supercategories;

means for determining at least one term associated with a data query;

means for determining a first of said at least one supercategory based on at least one term of said data query and said multiple categories of the at least one supercategory; and

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means for displaying an advertisement associated with said first
supercategory.